



RCE/1644/#  
#539nd

PTO/SB/30 (10-01)

OMB 0651-0031

U.S. Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

<b>REQUEST FOR CONTINUED EXAMINATION (RCE) TRANSMITTAL</b>  Address to: Commissioner for Patents Box RCE Washington, DC 20231	Application Number	08/716,169
	Filing Date	December 17, 1996
	First Named Inventor	Stephen M. ANDERTON
	Art Unit	1644
	Examiner Name	Patrick J. Nolan, Ph.D.
	Attorney Docket Number	470-961125

RECEIVED  
SEP 25 2002  
TECH CENTER 1600/2900

This is a Request for Continued Examination (RCE) under 37 C.F.R. § 1.114 of the above-identified application.

Request for Continued Examination (RCE) practice under 37 CFR 1.114 does not apply to any utility or plant application filed prior to June 8, 1995, or to any design application. See Instruction Sheet for RCEs (not to be submitted to the USPTO) on page 2.

1. Submission required under 37 C.F.R. § 1.114

- a. ☐ Previously submitted
- i. ☐ Consider the amendment(s)/reply under 37 C.F.R. § 1.116 previously filed on \_\_\_\_\_  
(Any unentered amendment(s) referred to above will be entered).
- ii. ☐ Consider the arguments in the Appeal Brief or Reply Brief previously filed on \_\_\_\_\_
- iii. ☐ Other \_\_\_\_\_
- b. ☒ Enclosed
- i. ☒ Response
- ii. ☒ Affidavit(s)/Declaration(s)
- iii. ☐ Information Disclosure Statement (IDS)
- iv. ☐ Other \_\_\_\_\_

2. Miscellaneous

- a. ☐ Suspension of action on the above-identified application is requested under 37 C.F.R. § 1.103(c) for a period of \_\_\_\_\_ months. (Period of suspension shall not exceed 3 months; Fee under 37 C.F.R. § 1.17(i) required)
- b. ☐ Other \_\_\_\_\_

3. Fees The RCE fee under 37 C.F.R. § 1.17(e) is required by 37 C.F.R. § 1.114 when the RCE is filed.

- a. ☐ The Director is hereby authorized to charge the following fees, or credit any overpayments, to Deposit Account No. 23-0650
- i. ☐ RCE fee required under 37 C.F.R. § 1.17(e)
- ii. ☐ Extension of time fee (37 C.F.R. §§ 1.136 and 1.17)
- iii. ☐ Other \_\_\_\_\_
- b. ☒ Check in the amount of \$740.00 enclosed
- c. ☐ Payment by credit card (Form PTO-2038 enclosed)

**WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.**

**SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT REQUIRED**

Name (Print / Type)	William H. Logsdon	Registration No. (Attorney / Agent)	22,132
Signature		Date	September 18, 2002

**CERTIFICATE OF MAILING OR TRANSMISSION**

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner For Patents, Box RCE, Washington, DC 20231, or facsimile transmitted to the U.S. Patent and Trademark Office on the date shown below.

Name (Print / Type)	Ellen Harteau	Date	September 18, 2002
Signature			

{W0020348.1} Burden Hour Statement: This form is estimated to take 0.2 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND Fees and Completed Forms to the following address: Assistant Commissioner for Patents, Box RCE, Washington, DC 20231.

09/24/2002 AMONDAF1 00000033 08716169

01 FC:179

740.00 OP

**RCE TRANSMITTAL LETTER**

Box RCE  
Commissioner for Patents  
Washington, D.C. 20231

Serial No.: 08/716,169 Filing Date: December 17, 1996  
Examiner: Patrick J. Nolan, Ph.D. Group Art Unit: 1644  
Invention: "Peptide Fragments of Microbial Stress Proteins and Pharmaceutical Composition Made Thereof for the Treatment and Prevention of Inflammatory Diseases"

Transmitted herewith is a Request for Continued Examination and Preliminary Amendment in the above-identified application.

- ☐ Small Entity Status is/has been asserted for this application under 37 CFR 1.27.  
☐ A verified statement to establish small entity status under 37 CFR 1.27 is enclosed.  
☐ No additional fee is required.  
☐ The fee has been calculated as shown below:

	No of Claims After Amendment	Highest No. Previously Paid For	Present Extra	Small Entity Rate	Non-Small Entity Rate	Charge
Total	<u>7</u>	<u>20</u>		x \$ <u>9.00</u>	x \$ <u>18.00</u>	\$ <u>-0-</u>
Indep.	<u>1</u>	<u>3</u>		x \$ <u>42.00</u>	x \$ <u>84.00</u>	\$ <u>-0-</u>
First Presentation of Multiple Dependent Claim/s				+ \$ <u>140.00</u>	+ \$ <u>280.00</u>	\$ <u>-0-</u>
TOTAL ADDITIONAL FEE						\$ <u>-0-</u>

- ☒ A check in the amount of \$ 740.00 is enclosed to cover the RCE fee.  
☐ A check in the amount of \$      is enclosed for a      - month Petition for Extension of Time.  
☒ The Commissioner is hereby authorized to charge payment of the following fees associated with this communication to Deposit Account No. 23-0650. Please refund any overpayment to Deposit Account No. 23-0650. An original and two copies of this sheet are enclosed.  
☒ Any additional filing fees required under 37 CFR 1.16.  
☒ Any patent application processing fees under 37 CFR 1.17.

September 18, 2002  
Date

By William H. Logsdon  
William H. Logsdon  
Registration No. 22,132  
Attorney for Applicants  
700 Koppers Building  
436 Seventh Avenue  
Pittsburgh, PA 15219-1818  
Telephone: (412) 471-8815  
Facsimile: (412) 471-4094  
E-mail: webblaw@webblaw.com

I hereby certify that this correspondence is being deposited with the United States Postal Service as First Class Mail in an envelope addressed to Commissioner for Patents, Washington, D.C. 20231 on September 18, 2002.

Ellen Harteau  
(Typed name of person mailing paper)

Signature

Date